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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

MARTIN VOGEL and KENNETH
MAHONEY, on Behalf of Themselves and
All Other Similarly Situated,

Plaintiffs,

v.

STEVEN JOBS, PETER OPPENHEIMER,
FRED ANDERSON, WILLIAM V.
CAMPBELL, MILLARD S. DREXLER,
ALBERT GORE, Jr., ARTHUR D. LEVINSON,
JEROME B. YORK and APPLE COMPUTER,
INC.,

Defendants.

Case No.: C-06-05208-JF

**[PROPOSED] ORDER GRANTING
LEAD PLAINTIFFS' MOTION TO
FILE THE FIRST AMENDED
CONSOLIDATED CLASS ACTION
COMPLAINT AND TO AMEND
CAPTION**

1 On January 18, 2008, Lead Plaintiffs' Motion to File the First Amended Consolidated
2 Complaint and to Amend Caption came on regularly for hearing before the Honorable Jeremy
3 Fogel.

4 After considering the papers filed, and oral argument presented, in support of and
5 opposition to the motion, and good cause appearing therefore,

6 IT IS HEREBY ORDERED as follows:

7 1. NYCERS is granted permission to file the First Amended Consolidated Class
8 Action Complaint within five (5) business days of the date of this Order; and

9 2. The caption in this case is hereby amended. All pleadings and other materials
10 filed in this action shall hereafter bear the following caption:

11 **UNITED STATES DISTRICT COURT**
12 **NORTHERN DISTRICT OF CALIFORNIA**
13 **SAN JOSE DIVISION**

14 *In re: Apple, Inc. PSLRA Backdating*
15 *Litigation*

Case No.: C-06-05208-JF

16
17
18 DATED: _____

19 _____
HONORABLE JEREMY FOGEL